

EXHIBIT 18



ADMINISTRATIVE POLICIES
AND PROCEDURES
State of Tennessee
Department of Correction

Index #: 705.06

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Effective Date: October 10, 2019

Distribution: C

Supersedes: 705.06 (8/15/16)
PCN 18-50 (11/1/18)

Approved by: Tony Parker

Subject: RESTORATION OF OFFENDER VOTING RIGHTS

- I. **AUTHORITY:** TCA 4-3-603; 4-3-606; TCA Title 39, Chapter 16, Parts 1, 4, and 5; TCA 40-20-112; 40-29-101 through 105; TCA 40-29-201 through 205; TCA 40-39-202 (20); and 40-39-202 (28).
- II. **PURPOSE:** To establish procedures for assisting eligible offenders in the restoration of their voting rights.
- III. **APPLICATION:** Assistant Commissioner of Community Supervision (ACCS), all Tennessee Department of Correction (TDOC) Community Supervision staff.
- IV. **DEFINITIONS:** None.
- V. **POLICY:** The TDOC assists eligible offenders in the restoration of voting rights according to state law and mandates of the State of Tennessee Division of Elections.
- VI. **PROCEDURES:**
 - A. All eligible offenders convicted of a felony after May 18, 1981, who are granted final discharge from supervision, or whose maximum sentence has expired, shall be issued a certificate of voting rights restoration by the supervising officer, or a manager.
 1. Prior to the offender's final discharge from supervision, the officer shall review all of the offender's felony conviction offenses to determine the offender's eligibility to have voting rights restored under TCA 40-29-202.
 2. **Pursuant to TCA 40-29-204, offenders ineligible for restoration of voting rights are as follows:**
 - a. Offenders convicted after July 1, 1986, for first degree murder, aggravated rape, treason, and/or voter fraud.
 - b. Offenders convicted between July 1, 1996 and June 30, 2006, for any offense under Section VI.(A)(2)(a) and/or any other degree of murder or rape.
 - c. Offenders convicted on or after July 1, 2006, for any felony offenses under Section VI.(A)(2)(a) and (b).
 - d. Offenders convicted of felony bribery, misconduct involving public officials and employees, and interference with government operations in the State of Tennessee or any other state as defined in TCA Title 39, Chapter 16, Parts 1, 4, and 5.
 - e. Any sexual and/or violent sexual offense defined in TCA 40-39-202 that is committed in the State of Tennessee or a felony with the same elements from any other state and in instances where the victim is a minor.

EXHIBIT 6

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3. Officers shall review the offender's case record to determine if he/she has met all financial obligations to the court and/or victim. Officers shall not issue a voting restoration rights form if:
 - a. The court ordered restitution, that is to be paid to the victim(s) of the offense(s) as part of the sentence, has not been paid in full.
 - b. After September 10, 2010, the offender has an unpaid court cost balance, except where the court finds the offender to be indigent.
4. Officers shall inform the offender if he/she is ineligible for restoration of voting rights as well as the disqualifying crime/financial obligations.

B. Use of Certificate of Restoration (of voting rights) Form

1. Officers shall complete the most current Certificate of Restoration, SS-3041 by the Department of State, Division of Elections. For each conviction after May 18, 1981, officers shall issue a separate restoration of voting rights form for each felony conviction with a different docket/case number.
2. Officers shall provide the offender with the original Certificate of Restoration of Voting Rights, SS-3041, upon final discharge from supervision, place a copy in the offender's case file, and document the issuance of the certificate in the offender management system as part of the closing summary (TEPE) contact note. Officers shall provide the offender with the written instructions that accompany the certificate and explain the procedures to use the certificate and be eligible to vote.
 - a. The Certificate of Restoration of Voting Rights, SS-3041, and written instructions are available on the Secretary of State webpage (<http://sos.tn.gov/products/elections/restoration-voting-rights>). A link directly to the form is available on the TDOC Intranet (<http://intranet.tn.gov/correction/forms.html>).
 - b. Officers shall write legibly in blue or black ink, or type the offender's information, when completing the form.
 - c. Officers shall complete the first page of the Certificate of Restoration of Voting Rights, SS-3041, following the instructions on the second page of the form. The officer shall only complete those sections of the form for which the officer has access to the information being attested to on the form.
 - d. Officers shall ensure the offender is aware of the purpose and effect of the certificate of voting rights restoration as listed on page two of the form.
3. Officers shall advise the offender to submit the certificate restoring voting rights to the administrator of elections of the county in which the person is eligible to vote.

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C. Officers shall forward a copy of the certificate to the county coordinator of elections.

VII. ACA STANDARDS: 4-APPFS-2C-06.

VIII. EXPIRATION DATE: October 10, 2022.